

**DECLARATION
AND POWER OF ATTORNEY**
Utility Application

LYON & LYON LLP

235/097

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "**TRICYCLIC QUINOXALINE DERIVATIVES AS PROTEIN TYROSINE KINASE INHIBITORS**", the specification of which

Check One

☒ is attached hereto.
☐ was filed on _____ as

Application Serial No. _____

and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Application Number	Country	Date of Filing	Priority Claimed	
			Yes✓	No✓
60/054,903	USA	August 5, 1997	✓	
60/059,686	USA	September 19, 1997	✓	

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

Application Number	Date of Filing	Status—Patented, Pending or Abandoned

POWER OF ATTORNEY: As a named inventor, I hereby appoint as my attorneys, with full power of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Roland N. Smoot, Reg. No. 18,718; Conrad R. Solum, Jr., Reg. No. 20,467; James W. Geriak, Reg. No. 20,233; Robert M. Taylor, Jr., Reg. No. 19,848; Samuel B. Stone, Reg. No. 19,297; Douglas E. Olson, Reg. No. 22,798; Robert E. Lyon, Reg. No. 24,171; Robert C. Weiss, Reg. No. 24,939; Richard E. Lyon, Jr., Reg. No. 26,300; John D. McConaghy, Reg. No. 26,773; William C. Steffin, Reg. No. 26,811; Coe A. Bloomberg, Reg. No. 26,605; J. Donald McCarthy, Reg. No. 25,119; John M. Benassi, Reg. No. 27,483; James H. Shalek, Reg. No. 29,749; Allan W. Jansen, Reg. No. 29,395; Robert W. Dickerson, Reg. No. 29,914; Roy L. Anderson, Reg. No. 30,240; David B. Murphy, Reg. No. 31,125; James C. Brooks, Reg. No. 29,898; Jeffrey M. Olson, Reg. No. 30,790; Steven D. Hemminger, Reg. No. 30,755; Jerrold B. Reilly, Reg. No. 32,293; Paul H. Meier, Reg. No. 32,274; John A. Rafter, Jr., Reg. No. 31,653; Kenneth H. Ohriner, Reg. No. 31,646; Mary S. Consalvi, Reg. No. 32,212; Lois M. Kwasigroch, Reg. No. 35,579; Lawrence R. LaPorte, Reg. No. 38,948; Robert C. Laurenson, Reg. No. 34,206; Carol A. Schneider, Reg. No. 34,923; Hope E. Melville, Reg. No. 34,874; Michael J. Wise, Reg. No. 34,047; Richard J. Warburg, Reg. No. 32,327; David T. Burse, Reg. No. 37,104; Jeffrey A. Miller, Reg. No. 35,287; Bernard F. Rose, Reg. No. P-42,112; Michael J. Bolan, Reg. No. P-42,339; Lynn Y. McKernan, Reg. No. P-41,986; and Craig A. Neugeboren, Reg. No. 39,314; and

Reg. No. _____

Send Correspondence to:

LYON & LYON LLP
47th Floor, 633 W. Fifth St.
Los Angeles, CA 90071

Direct Telephone
Calls to: Bernard F. Rose
408) 993-1555

201	FULL NAME OF INVENTOR	FIRST Name: PENG	Middle Initial(s) CHO	LAST Name TANG	
	RESIDENCE & CITIZENSHIP	City Moraga	State or Foreign Country California	County of Citizenship United States of America	
	POST OFFICE ADDRESS	Post Office Address 827 Camino Ricardo	City Moraga	State or Country California	Zip Code 94556

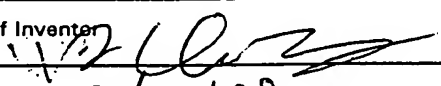
202	FULL NAME OF INVENTOR	FIRST Name LI	Middle Initial(s)	LAST Name SUN	
	RESIDENCE & CITIZENSHIP	City Foster City	State or Foreign Country California	County of Citizenship China	
	POST OFFICE ADDRESS	Post Office Address 64 Rockharbor Lane	City Foster City	State or Country California	Zip Code 94404

203	FULL NAME OF INVENTOR	FIRST Name GERALD	Middle Initial(s)	LAST Name McMAHON	
	RESIDENCE & CITIZENSHIP	City Kenwood	State or Foreign Country California	County of Citizenship United States of America	
	POST OFFICE ADDRESS	Post Office Address 1800 Schultz Road	City Kenwood	State or Country California	Zip Code 95452

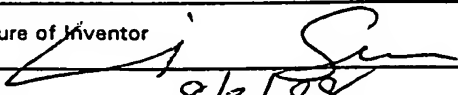
204	FULL NAME OF INVENTOR	FIRST Name	Middle Initial(s)	LAST Name	
	RESIDENCE & CITIZENSHIP	City	State or Foreign Country	County of Citizenship	
	POST OFFICE ADDRESS	Post Office Address	City	State or Country	Zip Code

205	FULL NAME OF INVENTOR	FIRST Name	Middle Initial(s)	LAST Name	
	RESIDENCE & CITIZENSHIP	City	State or Foreign Country	County of Citizenship	
	POST OFFICE ADDRESS	Post Office Address	City	State or Country	Zip Code

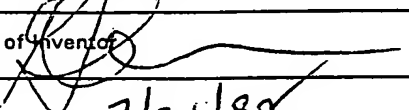
I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 201	
Date	7/31/98

Signature of Inventor 204	
Date	

Signature of Inventor 202	
Date	8/3/98

Signature of Inventor 205	
Date	

Signature of Inventor 203	
Date	7/31/98

(Signatures should conform to names as presented at 201 et seq. above.)



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

MARCH 19, 1999

PTAS

LYON & LYON LLP
BERNARD F. ROSE, ESQ.
633 W. FIFTH STREET
STE 4700
LOS ANGELES, CA 90071-2066



100940548A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 08/04/1998

REEL/FRAME: 9617/0439
NUMBER OF PAGES: 6

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
TANG, PENG CHO

DOC DATE: 07/31/1998

ASSIGNOR:
MCMAHON, GERALD

DOC DATE: 07/31/1998

ASSIGNOR:
SUN, LI

DOC DATE: 08/03/1998

ASSIGNEE:
SUGEN, INC.
351 GALVESTON DRIVE
REDWOOD CITY, CALIFORNIA 94063-4720

SERIAL NUMBER: 09129139
PATENT NUMBER:

FILING DATE: 08/04/1998
ISSUE DATE:

RECEIVED
MAR 29 1999
U.S. PROSECUTION

MARY BENTON, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

03-18-1999

Bucket No. 235/097



HEET

To the Honorable Commissioner of Patents and

100940548

ments or copy thereof.

1. Name of conveying party(ies):

Peng Cho Tang; Gerald McMahon; Li SunAdditional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment

Merger

☐ Security Agreement

Change of Name

☐ Other:Execution Dates July 31, 1998; August 3, 1998; July 31, 1998

2. Name and address of receiving party:

Name: **Sugen, Inc.**

Internal Address: 351 Galveston Drive, Redwood City, CA 94063-4720

Street Address: 351 Galveston Drive, Redwood City, CA 94063-4720

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.

09/129, 139

B. Patent No.

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: **Bernard F. Rose, Esq. Lyon & Lyon LLP**Internal Address: **633 W. Fifth Street, Ste 4700**City: **Los Angeles** State: **California** ZIP **90071 -2066**Street Address: **633 W. Fifth Street, Ste 4700**City: **Los Angeles** State: **California** ZIP **90071 -2066**6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41):.....\$ 40.00

☒ Enclosed☒ Authorized to be charged to deposit account8. Deposit Account Number: **12-2475**

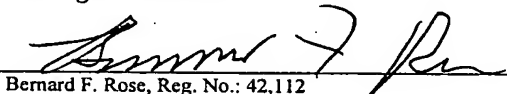
Please charge this Deposit Account if any additional fee is required.

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40E

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.
Bernard F. Rose, Reg. No.: 42,112

Date: November 25, 1998

Total number of pages comprising cover sheet: 3

OMB No. 0651-0011 (exp. 4/94)

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ASSIGNMENT

WHEREAS, I, **PENG CHO TANG**, a citizen of the United States of America, residing at 827 Camino Ricardo, Moraga, California 94556; **LI SUN**, a citizen of China, residing at 64 Rockharbor Lane, Foster City, California 94404; **GERALD MCMAHON**, a citizen of United States of America, residing at 1800 Schultz Road, Kenwood, California 95452, have invented a new and useful invention **"TRICYCLIC QUINOXALINE DERIVATIVES AS PROTEIN TYROSINE KINASE INHIBITORS"** for which we have filed application papers for United States Letters Patent thereon under attorney docket number 235/097; and

WHEREAS **SUGEN, INC.**, a Delaware corporation, having a place of business at 351 Galveston Drive, Redwood City, California 94063, is desirous of acquiring the exclusive right, title and interest in and to said invention and in to the Letters Patent to be granted and issued therefor in the United States of America and its territories and possessions, and all countries foreign thereto;

NOW THEREFORE for a valuable consideration, the receipt of which is hereby acknowledged, we, **PENG C. TANG, LI SUN, and GERALD McMAHON**, do hereby sell, assign, transfer and set over unto the said **SUGEN, INC.** its successors and assigns, the full and exclusive right, title and interest in and to said invention, and in and to any and all Letters Patents to be granted and issued therefore, not only form to and in the United States of America, its territories and possessions, but also for, to and in all other countries including all priority rights under the International Convention for the Protection of Industrial property for every member country, and all applications for patents heretofore or hereafter filed for said invention in any foreign countries and all patents (including all extensions, renewals and reissues thereof) granted for said invention in any foreign countries; and we hereby authorize and request the Commissioner of Patents and Trademarks, and any officials of foreign countries whose duty it is to issue patents on applications as aforesaid, to issue all patents for said invention to **SUGEN, INC.**, its successors and assigns, in accordance with this Assignment.

235/097
PATENT

IN TESTIMONY WHEREOF, I hereunto set my hand this 31st day of July, 1998

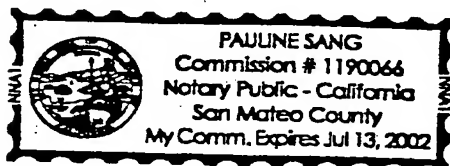
1998

PENG CHO TANG

STATE OF CALIFORNIA)
COUNTY OF SAN MATEO) ss.

On this 31st day of July, 1998, before me, a Notary Public, State of California, duly commissioned and sworn, personally appeared **PENG CHO TANG** known to me to be the person whose name is subscribed to in the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in Redwood City, California the day and year first above written.



Pauline Sang
NOTARY PUBLIC

IN TESTIMONY WHEREOF, I hereunto set my hand this 3rd 4 day of August,

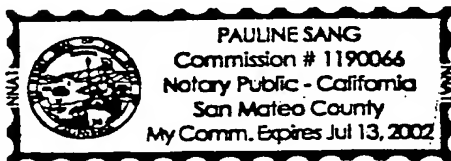
1998

Li Sun
LISUN

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN MATEO)

On this 3rd day of August, 1998, before me, a Notary Public, State of California, duly commissioned and sworn, personally appeared LI SUN known to me to be the person whose name is subscribed to in the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in Redwood City, California the day and year first above written.



Pauline Sang
NOTARY PUBLIC

235/097
PATENT

IN TESTIMONY WHEREOF, I hereunto set my hand this 31st day of ~~August~~ ^{July} 1998

1998


GERALD McMAHON

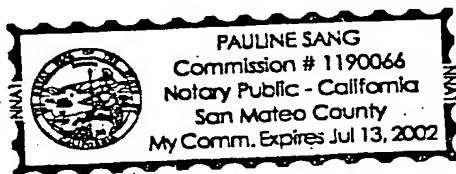
STATE OF CALIFORNIA)

) ss.

COUNTY OF SAN MATEO)

On this 31st day of ~~August~~ ^{July} 1998, before me, a Notary Public, State of California, duly commissioned and sworn, personally appeared GERALD McMAHON known to me to be the person whose name is subscribed to in the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in Redwood City, California the day and year first above written.




NOTARY PUBLIC